



**Submitting a Community Development Plan to the
Western Pacific Regional Fishery Management Council and National Marine
Fisheries Service
Guidance for Proposal Writers**

Western Pacific Regional Fishery Management Council
Phone: 808-522-8220
www.wpcouncil.org

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BACKGROUND

This document provides general and basic guidance to those writing and submitting a proposed community development plan (CDP) to the Western Pacific Regional Fishery Management Council (Council) and the National Marine Fisheries Service (NMFS). It does not address requirements for proposals submitted as Western Pacific Demonstration Projects. The background and details of the Western Pacific Community Development Program, including Western Pacific Demonstration Projects, are described in Amendment 1 to the fishery ecosystem plans for American Samoa, Hawaii, the Mariana Archipelago, and western Pacific pelagic fisheries (the amendment is identical for each plan). Amendment 1 is available from the Western Pacific Fishery Management Council (Council), 1164 Bishop St., Suite 1400, Honolulu, HI 96813. Telephone: 808-522-8220; fax: 808-522-8226; or www.wpcouncil.org.

The National Marine Fisheries Service established eligibility requirements and procedures for reviewing and approving community development plans for western Pacific fisheries in 2002¹. The intent of such plans is to allow island communities to propose projects that would help overcome barriers to continued and substantial participation in fisheries that they have traditionally depended upon. This may include the direct or incidental harvest of management unit species, or harvest in restricted areas, that would otherwise be prohibited.

Adherence to this informal guidance should allow for timely review by the Council and the NMFS Regional Administrator. The purpose of these reviews is to ensure that a plan proposal contains all required information, meets the intent of the Magnuson-Stevens Act, and is consistent with relevant federal law. Since part of the review process is likely to include an environmental review, as required by the National Environmental Policy Act (NEPA), the applicant is encouraged to provide specific and comprehensive information regarding each of the required proposal elements described below. Failure to do so will delay the review process.

A sample proposal outline for community development plans is appended to this document.

For assistance with writing a community development plan proposal or once the applicant feels that the proposed community development plan is ready for formal review by the Council and NMFS, contact:

Mr. Charles Ka'ai'ai, Indigenous Coordinator

Email: Charles.Kaaiiai@noaa.gov

Phone: 808-522-8220

¹ Federal Register Notice Vol. 75, No. 171 (75 FR 54044), September 3, 2011. Available from the Western Pacific Fishery Management Council or online at <http://www.gpoaccess.gov/fr/search.html>

GUIDANCE

Federal regulations require the applicant to provide several pieces of information in the community development plan proposal before it can be considered complete by the Council or analyzed by the NMFS. This guidance was prepared to assist those interested in developing a community development plan proposal.

Please prepare your proposal according to the following guidance and using 12 pt. Times New Roman font. Once the Council determines the proposal is complete, the Executive Director will transmit it to the Pacific Islands Regional Office of the National Marine Fisheries Service for assessment and action.

1. Eligibility

Those communities eligible to participate in the western Pacific community development program community must meet the following criteria:

1. Be located in American Samoa, Guam, Hawaii, or the Northern Mariana Islands (collectively, the western Pacific);
2. Consist of community residents descended from aboriginal people indigenous to the western Pacific who conducted commercial or subsistence fishing using traditional fishing practices in the waters of the western Pacific;
3. Consist of individuals who reside in their ancestral homeland;
4. Have knowledge of customary practices relevant to fisheries of the western Pacific;
5. Have a traditional dependence on fisheries of the western Pacific; and
6. Are currently experiencing economic or other constraints that have prevented full participation in western Pacific fisheries and, in recent years, have not had harvesting, processing or marketing capability sufficient to support substantial participation in fisheries in the area.

The applicant should provide information regarding he or his group meet these requirements in a section entitled "Eligibility of Applicant" at the beginning of the community development plan proposal. A description of how the community and or its members meet each of the eligibility criteria should be located in this section, as well as: a) details about the degree of involvement in the project by the indigenous community members, and b) the name, address, telephone and other contact information of each individual conducting the proposed fishing activity.

Proposals must be submitted by an applicant who is authorized as a representative of a qualifying community, an organization of indigenous peoples, or an entity serving such communities or organizations. These may include institutions of higher education, non-profit organizations and charitable foundations that are recognized as such by competent authority, for-profit commercial parties, state and local governments, or other authorized instruments of governance.

Where the applicant is an individual, such eligibility must be provided in written documentation that identifies the named individual, his/her relationship with a community eligible to participate in the grant program, and the scope of his/her authority to act on behalf of that community.

Where the applicant is an eligible non-profit organization, which has not previously received NOAA support, it must submit proof of its status with its application. Any of the following would give evidence of such status:

- A reference to the applicant in the Internal Revenue Service's most recent list of tax-exempt organizations under Section 501(c) of the IRS Code;
- A copy of a currently valid IRS tax exemption certificate on which the applicant is named;
- A statement from a state taxing authority or state's attorney general certifying that the applicant has non-profit status and that none of the net earnings accrue to any private shareholder;
- A certified copy of the organization's certificate of incorporation or similar document that clearly establishes nonprofit status; or
- Any of the above proof regarding a parent organization, if one exists, and a statement signed by the parent organization that the applicant is a local nonprofit affiliate.

2. Statement of Plan Purpose and Goals

The purpose of the proposed community development plan should be clearly described in this section. Note, the applicant will be asked to provide justification for the community development plan in Section 4, so the language describing the purpose can be fairly succinct. This section should also describe the community development plan's goals (i.e, exactly what the applicant seeks to accomplish if the proposal is approved).

3. Description of the Specific Fishing Activity Being Proposed

3.1 Overview

This section should generally describe the type of fishing activity that is being proposed. The applicant will have an opportunity to provide more specific regarding the fishing activity below.

3.2 Location of the Proposed Fishing Activity

This section should include as many details about the location of fishing activity as may be known at the time the proposal was developed. This may include commercial fishing grids, latitude/longitude information or other, as well as any areas within those grids that may be disproportionately utilized. Detail and specificity regarding proposed fishing activity location(s) will help streamline the community development plan proposal review process.

In cases where the proposed activity would be conducted on or near places that the applicant does not wish to divulge specifically (for example, traditional fishing koa locations), the applicant may identify fishing location(s) more generally. The purpose of identifying fishing

locations is to allow the proposal to be evaluated in terms of known areas of protected species and habitats of concern.

3.3 Management Unit Species to be Harvested and Any Potential Bycatch

The proposed plan must provide the management unit species (MUS) that will be targeted as well as species that have the potential to be incidentally caught or caught as bycatch by the proposed fishing activity. MUS refers to managed species designated as such by the Council in one or more of its management plans. Detailed life history and status is not necessary in the proposed community development plan and it is acceptable to refer to the reader to documents that contain such information, such as the Fishery Ecosystem Plans available from the Council.

3.4 Gear type(s) to be Used

The proposed CDP must contain a comprehensive description of the type of fishing gear to be used. For example, the applicants should describe:

- Length of lines
- Number and size of hooks
- Number and size of traps
- Mesh size of netting
- Bait type

The proposal should also describe the details of how that gear will be operated.

3.5 Frequency and Duration of the Proposed Fishing Activity

The proposed CDP must contain information about how often the gear will be deployed (by the most relevant period – day, week, or month) and how long the gear will be deployed before retrieval. If the gear is to be deployed as part of a mixed fishing trip (a trip that uses other gear types and/or targets other species), the proposed CDP should clearly describe how the proposed fishing activity fits within the larger fishing trip.

4. Justification for the Specific Fishing Activity Being Proposed

This section should provide comprehensive rationale that justifies the approval of the plan. The constraints that the applicant faces in terms of participating in the desired fishery or sub-fishery should be clearly described in this section. This is particularly important, especially in cases where exemptions from regulations are being requested. Because such exemptions will typically only be granted for certain circumstances, inadequate information to support proposed fishing activity may result in disapproval. For example, if an applicant wishes to fish in a closed area, he should describe exactly why it is not feasible to conduct the proposed fishing activity outside of that area. Multiple reasons usually make a stronger case for approval.

The proposal should provide supporting detail for any claim or assertion.

5. Vessel information

If a vessel is to be used in the proposed fishing activities, the following information must be provided in the CDP. If no vessel is to be used, this section should remain in the proposal, but should state “Not applicable.”

1. Vessel name and official number (USCG documentation, state, territory, or other registration number)
2. Vessel length overall, displacement, and fish holding capacity
3. Any valid federal fishing permit number(s)
4. Name, address, and telephone number of the vessel owner(s) and operator(s)

6. Submitting the Proposal

The applicant should send a hardcopy of the final proposal, along with an introductory letter, to:

Western Pacific Regional Fishery Management Council
Attention: Kitty Simonds, Executive Director
1164 Bishop St, Ste., 1400
Honolulu, HI

The applicant may also email a copy of same to:

Mr. Charles Ka'ai'ai, Indigenous Coordinator
Email: Charles.Kaaiiai@noaa.gov

APPENDIX

Suggested Community Development Plan Proposal Outline

(In 11 pt or 12 pt Times New Roman font)

Title Page

“Western Pacific Community Development Plan Proposal”

Proposal Name

“Submitted to the Western Pacific Fishery Management Council by”

Applicant Name and contact information

Date

1. Eligibility of Applicant

2. Statement of Plan Purpose and Goals

3. Description of the Specific Fishing Activity Being Proposed

3.1 Overview

3.2 Location of the Proposed Fishing Activity

3.3 Management Unit Species to be Harvested and Any Potential Bycatch

3.4 Gear type(s) to be Used

3.5 Frequency and Duration of the Proposed Fishing Activity

4. Justification for the Specific Fishing Activity Being Proposed

5. Vessel information